

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

DENNIS SPIKES

PLAINTIFF

VS.

CIVIL ACTION NO. 1:11cv162WJG-RHW

BLESSEY MARINE, INC.;
BLESSEY MARINE SERVICES, INC.;
and FICTITIOUS DEFENDANTS A-F

DEFENDANTS

FINAL JUDGMENT

This cause came on for trial before the Court without a jury on February 25-26, 2013.

Pursuant to the Bench Opinion entered in this cause, this date, incorporated herein by reference, it is hereby,

ORDERED that the fictitious Defendants A-F listed in this case be, and are hereby, dismissed with prejudice. It is further,

ORDERED that the plaintiff has failed to prove that the *MONSTED* was unseaworthy, or that Blessey is liable for Jones Act negligence, and those claims should be, and are hereby, dismissed with prejudice. It is further,

ORDERED that Blessey is responsible for maintenance and cure related to the incident at issue in this lawsuit up to the time of Spikes' MMI, which was December 17, 2012. In addition, the Court finds that Blessey should pay the expenses related to the cervical surgery which Spikes underwent on September 19, 2012. It is further,

ORDERED that Spikes is not entitled to further economic damages for lost wages; is not entitled to a punitive damage award and is not entitled to an award of pre-judgment interest. It is further,

ORDERED that the parties should resolve the issue of any payments all ready made on the cervical surgery by third parties and any issue regarding payments Blessey may have made

toward maintenance and cure beyond the date of Spikes' MMI. It is further,

ORDERED that this case be dismissed, with prejudice. It is further,

ORDERED that the parties bear their respective costs associated with this lawsuit.

SO ORDERED, this the 9th day of December, 2013.

Walter J. Gear III
UNITED STATES SENIOR DISTRICT JUDGE